

Message Text

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ACTION ORM-02

INFO OCT-01 EA-07 IO-13 ISO-00 EUR-12 DHA-02 SCA-01 VO-03

INSE-00 ABF-01 OMB-01 TRSE-00 AID-05 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00 /088 W

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O P 090700Z AUG 76

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC IMMEDIATE 4206

AMEMBASSY BANGKOK IMMEDIATE

AMCONSUL HONGKONG

US MISSION GENEVA IMMEDIATE 274

AMEMBASSY BONN

AMEMBASSY CANBERRA

AMEMBASSY JAKARTA

AMEMBASSY MANILA

AMEMBASSY RANGOON

/AMEMBASSY SINGAPORE 6025

AMEMBASSY TOKYO

AMEMBASSY WELLINGTON

US MISSION UN NEW YORK 705

LIMITED OFFICIAL USE SECTION 1 OF 2 KUALA LUMPUR 4535

DEPT FOR DIHA

BANGKOK FOR INS

E.O. 11652: N/A

TAGS: SREF, PFOR, MY

SUBJECT: INDOCHINESE REFUGEES IN MALAYSIA: SUMMARY OF RECENT
DEVELOPMENTS RE BOAT CASES

REF: (A) KUALA LUMPUR 4352 (NOTAL), (B) GENEVA 6091 (NOTAL),

(C) STATE 194698, (D) SINGAPORE 3713 (NOTAL), (E) KUALA

LUMPUR 4521 (NOTAL), (F) GENEVA 6397, (G) SINGAPORE 3751

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(NOTAL), (H) HONG KONG 9273 (NOTAL)

1. SUMMARY. THIS MESSAGE SUMMARIZES A NUMBER OF RECENT DEVELOPMENTS RE VIETNAMESE REFUGEES IN MALAYSIA, INCLUDING NEWLY ARRIVED BOATLOADS, OUR CONTACTS WITH MFA ON GENERAL SUBJECT AS WELL AS DEPARTURE ARRANGEMENTS FOR REFUGEES ALREADY APPROVED UNDER OUR EPP, AND CONTINUING PROBLEM POSED BY EXTENDED ABSENCE OF UNHCR REGIONAL REP SAMPATKUMAR FROM K.L. MFA CONTACT CONTINUES STRESS THAT REIMBURSEMENT FOR COSTS FOR CARE AND INTERNAL TRANSPORT OF REFUGEES IS KEY TO INFLUENCING GOM ATTITUDE ON MATTER. GOM CONTACT SAYS UNHCR HAS NOT RPT NOT YET CONVEYED, UNHCR APPEAL ON "FIRST ASYLUM" TO GOM. ACTION REQUESTED: HONG KONG TO REQUEST SAMPATKUMAR GET IN TOUCH WITH GOM AUTHORITIES CONCERNED ASAP TO RESOLVE OUTSTANDING ISSUES, BANGKOK TO INFORM ICEM OF SUBSTANCE OF PARA 3 BELOW, AND GENEVA TO DRAW ON THIS MESSAGE AS APPROPRIATE IN DISCUSSION WITH UNHCR RE FINANCING AND STAFFING OF INTERNATIONAL ASYLUM/ RESETTLEMENT EFFORT. END SUMMARY.

2. OPERATING IN VACUUM PRESENTED BY ABSENCE FROM KUALA LUMPUR OF UNHCR REGIONAL REPRESENTATIVE FOR SOUTHEAST ASIA SAMPATKUMAR, EMBASSY HAD HAD NUMEROUS CONTACTS WITH MFA ON GENERAL USG POLICY RE INDOCHINESE REFUGEE "BOAT CASES" ON INITIATING ARRANGEMENTS FOR FINAL OUTBOUND PROCESSING FOR REFUGEES IN MALAYSIA QUALIFYING UNDER EXPANDED PAROLE PROGRAM (EPP), AND ON STATUS OF RECENT BOAT ARRIVALS. AMBASSADOR TOOK OCCASION OF CALL ON MFA SECRETARY GENERAL ZAKARIA AUGUST 5 TO DELIVER LETTER INFORMING GOM OF OUR READINESS TO COMMENCE MOVEMENT THROUGH ICEM OF REFUGEES APPROVED UNDER EPP (PER REF A AND SUBSEQUENT EXCHANGES WITH ICEM/BANGKOK). LETTER ALSO EXPRESSED HOPE MALAYSIA WOULD CONTINUE TO PLAY A HELPFUL ROLE IN RESETTLEMENT PROCESS BY ALLOWING REFUGEES ARRIVING BY BOAT TO LAND PENDING PERMANENT RESETTLEMENT. ON AUG 6 WE INFORMED MFA VERBALLY OF U.S. RESPONSE TO UNHCR APPEAL PER REF C, BUT MFA OFFICIAL INDICATED GOM HAD NOT RPT NOT RECEIVED ANY FORMAL APPEALS LIMITED OFFICIAL USE

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FROM UNHCR RE SUBJECT OF "FIRST ASYLUM." FULL TEXT OF OUR RESPONSE DELIVERED TO MFA ON AUG 7.

3. MFA WORKING LEVEL CONTACT ON REFUGEE MATTERS, ASST. SECY. SOUTHEAST ASIA II ABDUL JALIL HARON HAS STRESSED TO US REPEATEDLY IN RECENT CONVERSATIONS THAT MALAYSIAN NATIONAL SECURITY COUNCIL (NSC) "WOULD PROBABLY" LOOK MORE FAVORABLY ON SUBJECT OF TEMPORARY

ASYLUM FOR BOAT-BORNE REFUGEES IF UNHCR WAS MORE FORTHCOMING IN PAYING BILLS FOR MAINTENANCE AND INTERNAL TRANSPORTATION OF REFUGEES (SEE PARA 5 REF A FOR HIS INITIAL REMARKS ALONG THIS LINE). HE SAID THAT THE NSC HAD AGREED IN PRINCIPLE TO OUR REQUEST TO ASSEMBLE QUALIFYING REFUGEES AT AN ACCESSIBLE POINT IN OR NEAR KUALA LUMPUR FOR FINAL PROCESSING, BUT FINAL APPROVAL WAS CONTINGENT ON RECEIVING FIRM COMMITMENT FROM UNHCR TO COVER COSTS FOR TRANSPORT AND MAINTENANCE. EMBOFF NOTED THAT THESE ARRANGEMENTS WOULD HAVE TO BE ONE OF THE FIRST ITEMS OF BUSINESS OF SAMPATKUMAR ON HIS RETURN TO K.L., AT WHICH TIME WE ASSUMED HE WOULD CONVEY UNHCR APPEAL RE FIRST ASYLUM.

4. ACCORDING TO JALIL, STATUS OF 94 REFUGEES WHO ARRIVED AT KUALA TRENGGANU JULY 25 VIA SMALL FISHING VESSEL "IS STILL THE SAME." EMBASSY HAS RECEIVED LETTER DATED 1 AUG FROM A SPOKESMAN FOR THE GROUP WHO CLAIMED BOATLOAD COMPRISED 12 FAMILIES, OF WHICH "MOST," HE CLAIMED, "HAVE EITHER RELATIVES OR CLOSE FRIENDS IN THE U.S., AND THE MAJORITY OF US WERE U.S. EMPLOYEES (MACV, PX, CIA, RSA) AND SOME WERE IN THE ARVN..." DUE TO THESE TIES "THE MAJORITY" WOULD LIKE TO GO TO THE U.S. WRITER STATED BOAT'S NAME WAS "VINH THUAN," 19 METERS LONG BY 3.4 METERS WIDE, JOURNEY HAD TAKEN SIX DAYS "THROUGH BAD WEATHER AND A ROUGH SEA" DURING WHICH FOOD AND WATER INADEQUATE AND A BABY BORN THE SECOND DAY AT SEA. LOCAL CHURCH REPRESENTATIVE HAS BEEN IN TOUCH WITH US AS ONE OF HIS ASSOCIATES HAS HAD SOME FORM OF ACCESS TO REFUGEES, PERHAPS TO SEVERAL WHO ARE HOSPITALIZED (INCLUDING MOTHER AND LIMITED OFFICIAL USE

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BABY) AT KUALA TRENGGANU GENERAL HOSPITAL. HE HAS RECEIVED SKETCHY INFORMATION, AMONG WHICH IS THAT REFUGEE BOAT IS DREADFULLY OVERCROWDED WITH OVER 80 STILL ABOARD. (WE JUST LEARNED TODAY, 9 AUG ALL ARE ASHORE, ACCORDING MFA). FOLLOWING SEVERAL DISCUSSIONS ON STATUS OF THIS GROUP, JALIL AGREED, IN ABSENCE OF UNHCR REPRESENTATIVE, TO SEEK BIO DATA ON REFUGEES. FOR THIS PURPOSE WE HAVE PROVIDED HIM "INTERNATIONALIZED" BIO DATA FORMS WHICH HE WILL FORWARD TO NSC AND WHICH WHEN COMPLETED, ARE TO BE RETURNED DIRECTLY TO UNHCR REP SAMPATKUMAR'S OFFICE SO THAT ON HIS RETURN HE CAN FUFILL HIS PROPER ROLE AS CLEARING HOUSE FOR REFUGEE DATA FOR INTERESTED FOREIGN MISSIONS. WE ARE OPTIMISTIC THAT JALIL'A AGREEMENT TO ATTEMPT TO SECURE BIO DATA WILL

IMPROVE PROSPECTS THIS GROUP WILL BE ALLOWED TO STAY.

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ACTION ORM-02

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SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00 /088 W

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O P 090700Z AUG 76

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC IMMEDIATE 4207

AMEMBASSY BANGKOK IMMEDIATE

AMCONSUL HONG KONG IMMEDIATE

US MISSION GENEVA IMMEDIATE 275

INFO /AMEMBASSY BONN 079

AMEMBASSY CANBERRA

AMEMBASSY JAKARTA

AMEMBASSY MANILA

AMEMBASSY RANGOON

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5. LESS FORTUNATE, HOWEVER, IS CASE OF BOATLOAD
OF 21 VIETNAMESE REFUGEES THAT WE LEARNED ABOUT
ONLY AFTER SEEING AUG 4 MALAYSIAN NATIONAL WIRE
SERVICE "BERNAMA" REPORT (APPEARING IN LOCAL PRESS
AUG 5) FROM KOTA BHARU, CAPITAL OF EAST COAST STATE
OF KELANTAN, THAT THEY HAD ARRIVED AUG 3 AND
HAD "LEFT IN THEIR BOAT TODAY TO CONTINUE THEIR

JOURNEY TO THE UNITED STATES." REPORTS CITED
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A STATE SECURITY COMMITTEE SPOKESMAN TO THE EFFECT THAT REFUGEE GROUP, INCLUDING SIX CHILDREN, WERE ESCORTED BY THE MARINE POLICE OUT OF MALAYSIAN WATERS AFTER THEY HAD BEEN PROVIDED FOOD FOR A WEEK, MEDICINE, BLANKETS, FRESH WATER, DIESEL OIL, KEROSENE, ENGINE OIL, A STOVE AND COOKING UTENSILS. ACCORDING TO BERNAMA THE REFUGEES ARE BELIEVED TO HAVE LEFT SAIGON JULY 31. WHEN ASKED AUG 5 ABOUT REPORT, MFA'S JALIL CONFIRMED IT, SAYING THIS WAS CLEAR EVIDENCE OF THE NSC'S HARDENING ATTITUDE. EMBOFF EXPRESSED REGRET, COMMENTING THAT WHAT WAS KELANTAN'S PROBLEM TODAY WOULD BE TRENGGANU'S (THE ADJACENT STATE) PROBLEM TOMORROW, AND SO ON FOR OTHER COUNTRIES IN THE REGION IF EACH TURNED THESE PEOPLE AWAY FROM THEIR SHORES, COMPELLING THEM TO FACE ADDITIONAL HARDSHIPS AT SEA. JALIL CONCURRED BUT INDICATED THAT THIS POLICY WAS NOT OF HIS OR THE MFA'S MAKING.

6. ALTHOUGH WE HAVE NOT CONDUCTED A FORMAL SURVEY OF OUR DIPLOMATIC COLLEAGUES, IT IS CLEAR FROM TALKS WITH WEST GERMAN AND CANADIAN REPS HERE IN PAST FEW DAYS THAT UNHCR IS NOT DOING ADEQUATE JOB DISSEMINATING REFUGEE DATA AND HAS NOT TAPPED FULL POTENTIAL OF LOCAL MISSIONS' (OTHER THAN U.S.) INTEREST IN ACCEPTING VIETNAMESE REFUGEES FOR RESETTLEMENT. GERMANY EMBASSY HAS RECOMMENDED BONN CONSIDER ACCEPTING 50 VIETNAMESE REFUGEES FROM MALAYSIA, EITHER WITHIN OR BEYOND QUOTA OF 1,000 BONN HAD ALLOTTED TO SOUTHEAST ASIA SEVERAL MONTHS AGO. UNHCR OFFICE HAD NOT RPT NOT HOWEVER BEEN RESPONSIVE IN PROVIDING UP-TO-DATE LISTS OF REFUGEES OR BIO DATA AS REQUESTED. CANADIANS ALSO HAVE HAD PROBLEM IN OBTAINING INFORMATION OR ACCESS TO REFUGEES. (FYI: GOM SEEMS TO BE RELUCTANT TO HAVE CONSTANT STREAM OF FOREIGN MISSION PERSONNEL INTERVIEWING REFUGEE GROUPS AT THE ISOLATED AND WIDELY DISPERSED CAMPS AND WOULD PREFER UNHCR SERVE AS FOCAL POINT AND PERFORM BROKER ROLE; ON THE OTHER HAND GOM IS UNWILLING TO ASSEMBLE ALL REFUGEES AT ONE POINT, WHICH WOULD GREATLY FACILITATE ACCESS AND INFORMATION GATHERING FOR ALL CONCERNED. REASONS OF THIS RETICENCE PROBABLY INCLUDE (A) LACK OF SUITABLE SITES, (B) CONSPICUOUSNESS, (C) CONCERN OVER POSSIBILITY OF DEMONSTRATIONS AND, RELATED TO ALL THE FOREGOING, (D) POLITICAL CONCERNS STEMMING FROM NASCENT
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RELATIONSHIP WITH SRV AND PRESENCE IN KUALA LUMPUR OF AN
SRV EMBASSY. END FYI.)

7. ACCORDING TO JALIL, MALAYSIA'S VIETNAMESE REFUGEE TOTAL
(THOSE ALREADY LANDED, EXCEPTING THE BOATLOAD OF 94) IS 242
(336 IF THE 94 ARE ADDED, AND 357 IF THE 21 TOWED TO SEA ARE
STILL AROUND).

8. COMMENT: IT CLEARLY IS URGENT FOR UNHCR REP SAMPATKUMAR
TO GET BACK IN TOUCH WITH GOM TO RESOLVE SOME OF THESE
QUESTIONS, ESPECIALLY FINANCING PROBLEMS WHICH SEEM OF SUCH
CONCERN TO MALAYSIAN OFFICIALS INVOLVED. ALTHOUGH
MALAYSIA IS WELL ENOUGH OFF FINANCIALLY TO COPE WITH THE
EXPENSES FOR WHAT REMAINS OF A RELATIVELY SMALL NUMBER OF
REFUGEES, ADMINISTRATION OF REFUGEE MATTERS HAS
DEVOLVED UPON LOCAL AGENCIES, I.E., STATE SECURITY
COMMITTEES, WHOSE MANPOWER AND BUDGETS ARE NOT ATTUNED
TO SUSTAINING SUCH PROGRAMS (E.G., ONE GROUP OF 25 REFUGEES
IN KUANTAN, PAHANG STATE, HAS BEEN THERE FOR OVER SEVEN
MONTHS).

9. ACTION REQUESTED: FOR HONG KONG: PLEASE CONTACT
SAMPATKUMAR IF HE IS STILL THERE TO CONVEY THE GIST OF THE
FOREGOING, AND TO ENCOURAGE HIM TO GET IN TOUCH WITH THE
RELEVANT MALAYSIAN GOVERNMENT OFFICIALS AS SOON AS POSSIBLE.
WE ARE ESPECIALLY CONCERNED, YOU MIGHT TELL HIM, THAT
ARRANGEMENTS BE WORKED OUT WITH GOM TO FORESTALL FUTURE
CASES OF REFUGEE BOATS BEING TOWED OUT TO INTERNATIONAL
WATERS, AS WELL AS TO INITIATE ARRANGEMENTS FOR PRE-DEPARTURE
PROCESSING OF THE REFUGEES WHO HAVE ALREADY QUALIFIED UNDER
OUR PROGRAM (79 CLEARANCES FOR TRAVEL HAVE NOT BEEN RECEIVED
FROM WASHINGTON, WITH OTHERS EXPECTED DAILY, YOU SHOULD ADD).

10. FOR BANGKOK: PLEASE INFORM ICEM REPS SUBSTANCE OF
PARA 3 ABOVE AND TELL THEM WE WILL KEEP THEM APPRISED OF
DEVELOPMENTS.

11. FOR GENEVA: YOU MAY WISH TO DRAW ON THIS MESSAGE FOR
BACKGROUND IN DISCUSSIONS WITH UNHCR, ESPECIALLY REGARDING
GOM CONCERN FOR TIMELY REIMBURSEMENT FOR COSTS INCURRED FOR
REFUGEES GRANTED TEMPORARY ASYLUM AS WELL AS TO BUTTRESS
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ARGUMENT FOR UNHCR TO BOLSTER ITS MANPOWER HERE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REFUGEE RESETTLEMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 09 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976KUALA04535
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760305-0778
From: KUALA LUMPUR
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760872/aaaacfcf.tel
Line Count: 326
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ORM
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 KUALA LUMPUR 4352, 76 GENEVA 6091, 76 STATE 194698, 76 SINGAPORE 3713
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 26 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 MAR 2004 by GarlanWA>; APPROVED <24 AUG 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INDOCHINESE REFUGEES IN MALAYSIA: SUMMARY OF RECENT DEVELOPMENTS RE BOAT CASES
TAGS: SREF, PFOR, MY
To: STATE BANGKOK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006